

States and other countries in ways that the industry could not otherwise achieve.

For example, the Australia agreement codifies provisions of U.S. law that prohibit reimportation of medicines that are produced in the United States and sold at a discount in other countries. I strongly oppose the inclusion of this controversial issue in a trade agreement when it is the subject of ongoing Congressional debate. Bills currently under consideration in the Senate and already passed by the House of Representatives will now be in technical violation of our trade obligations. Since the provision will have no actual impact because Australian law already prohibits wholesalers and pharmacists from exporting low-cost drugs procured through the PBS system, it appears that its sole purpose is to serve as a basis for the inclusion of similar provisions in future agreements.

Unfortunately, it is not just the Australia free trade agreement where these back door assaults on domestic healthcare programs are taking place. The U.S. has also negotiated trade agreements with Central America, Morocco, and Thailand that would significantly impede and delay access to cheaper generic drugs in these developing countries where the availability of quality healthcare is already limited and few can afford medicine. All of these efforts fit into the pharmaceutical industry's agenda to raise drug prices and profits around the world, even at the expense of saving lives.

Because of unique dynamics between the United States and Australia the net effects of this agreement on health programs may be negligible. But that doesn't mean they aren't bad policy and bad precedents. I am voting no on this agreement, which I would have liked to support, in order to register my strong protest against the Bush Administration's work with the pharmaceutical industry on provisions that sour an otherwise promising trade opportunity.

International trade has the potential to raise the standard of living and quality of life for millions of people around the world. To uphold that vision, we must work for future trade negotiations that ensure that our citizens and our trading partners have the opportunity to experience the full benefits of free and fair trade.

DEPLORING MISUSE OF INTERNATIONAL COURT OF JUSTICE BY UNITED NATIONS GENERAL ASSEMBLY FOR POLITICAL PURPOSE

SPEECH OF

**HON. CAROLYN MCCARTHY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2004*

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today on behalf of the men and women of the 4th Congressional District of New York in support of this Resolution condemning the July 9th advisory opinion from the International Court of Justice (ICJ), which denounces Israel's security fence.

I have long been an ardent and proud supporter of Israel. In recent years, the volatile and unstable history that has underscored Israel's history has become even more bloody and pronounced. We can understand as Americans that Israel has a responsibility to protect its citizens from the grave threat posed

against the country from those terrorists that seek to harm it.

The security fence has drastically enhanced Israel's ability to protect itself from terrorists by significantly limiting the ability of terrorists to access Israeli cities. For example, since its construction, suicide bombings along the northern West Bank have decreased by 90 percent. Contention and criticism to the wall lies with the proposed plans to have the wall run through the area of northern Jerusalem. Prior to the ICJ's opinion, efforts were made to change certain aspects of the designated route to limit the impact it could have on localities near and around the wall's course.

Local Palestinian communities, those most directly affected by the wall's construction, have worked with Israel to redirect the wall in certain areas to lessen the impact. The wall's construction is condemned by the Court of Justice because of claims that it violates certain boundary laws. However, the wall is a protection for both Israelis and Palestinians. Their joint effort has not only lessened any undesirable impact for both parties, but proven the possibility for compromise between both areas.

I have long felt that America should not attempt to dictate decisions for Israel. With this resolution, we are simply showing that we are supporting Israel's step toward safeguarding its people. We as Americans must sympathize with the fact that the Israelis are attempting to confront terrorism by erecting a wall to stand as its physical and metaphorical barrier. In condemning the opinion of the International Court of Justice and supporting this resolution, we as a body align ourselves with the best interests of the Israeli people, progress and peace in the Middle East, and in the best interests of all Americans who wish to one day see calm in a section of the world so long divided.

Thank you.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

SPEECH OF

**HON. MICHAEL N. CASTLE**

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 12, 2004*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4766) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005, and for other purposes:

Mr. CASTLE. Mr. Chairman, I rise today to commend Chairman BONILLA and Ranking Member KAPTUR for including a strong commitment of funding in this bill for the implementation of the Low Path Avian Influenza program at the Animal and Plant Health Inspection Service (APHIS). This \$23 million in funding will allow APHIS to promptly address the repeated and diverse outbreaks of avian influenza that have occurred in several states including my state of Delaware.

This additional funding is necessary to respond to the many needs confronting this vital

industry including: Expanded monitoring of avian influenza, increased surveillance of the live-bird markets and distributors, advanced research on and implementation of fast and economical tests, and confirmed identification and tracking of avian influenza sources.

The presence of avian influenza presents an immediate threat to the U.S. poultry industry. It constitutes a significant danger to the national economy and potential serious burden on interstate and foreign commerce.

As you know, in early February, two flocks of chickens in Delaware were confirmed as having H7N2 low pathogenic avian influenza, and roughly 83,000 birds were promptly depopulated. Isolated avian influenza infections were then identified among chickens in both New Jersey and Pennsylvania. Later in the month, officials determined that a flock of 7,000 broilers in Southeast portion of Chairman BONILLA's home state of Texas tested positive for a highly pathogenic H5N2 avian influenza. The most recent case came when a flock of chickens in Pocomoke City, Maryland, tested positive for the H7 avian flu, which led to more than 300,000 birds and chicks being depopulated on three farms. The infections discovered this year follow past outbreaks of low pathogen flu in Virginia, Rhode Island and Connecticut.

The USDA response to the outbreaks occurring this year has been prompt and the assistance provided to the state Departments of Agriculture and the poultry industry has been instrumental in helping to identify, contain and eradicate the avian influenza outbreak—but there is still much that needs to be done. Even before the recent infections, the Administration recognized the expanding need to implement a comprehensive strategy to battle avian influenza by including \$12.7 million in funding in the APHIS FY'05 budget request for the Low Pathogen Avian Influenza (LPAI) program and recently transferring \$13.7 million in FY'04 funds into the program.

This builds on the close to \$1 billion provided in FY'04 that is scheduled for implementation at the end of this month. I believe it is critical that APHIS receives the proper amount of funding to maximize the resources at its disposal to strongly address this serious problem. Low Path AI is capable of mutating into highly pathogenic forms. The occurrence of HPAI in Texas led Secretary Veneman to declare an Extraordinary Emergency earlier this month. A healthy and vital poultry industry is a major contributor to the recovering economy of this country, and the finding of AI, particularly the highly destructive High Path AI, represents a major threat in this regard.

Moreover, the multi-billion dollar poultry export industry is put at risk by the avian flu discoveries. Many of our trading partners continue to impose import bans on U.S. poultry products. While some of these importers have set restrictions on products from specified states, others have taken the more drastic step of banning importation of poultry products from our entire country. We need to give our trade negotiators the necessary support in the form of these AI surveillance and control efforts, to allow them to negotiate with our foreign trading partners and convince them to reopen these markets.

Again, I commend Chairman BONILLA and Ranking Member KAPTUR for providing APHIS with the critical resources it needs to address this threat to our poultry industry.